

From Email: mail@hftrialfirm.com

From name: Hodges & Foty

Subject: THIS NOTICE COULD AFFECT YOUR LEGAL RIGHTS. Notice of Collective Action Lawsuit - Lamb v. BrahamPutra

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[Name]:

*Lamb v. BrahamPutra, LLC,*  
**United States District Court for the District of New Jersey**  
**Case No. 2:20-cv-12145**

**COURT-AUTHORIZED NOTICE OF COLLECTIVE ACTION LAWSUIT**

**\*\*\*THIS IS NOT AN ADVERTISEMENT FROM A LAWYER\*\*\***

**TO: ALL CURRENT AND FORMER INTEGRATORS WHO PERFORMED WORK FOR BRAHAMPUTRA, LLC FROM SEPTEMBER 1, 2017 THROUGH THE PRESENT.**

**RE: FAIR LABOR STANDARDS ACT OVERTIME LAWSUIT FILED AGAINST BRAHAMPUTRA, LLC.**

**Deadline to join the case: [60 days from mailing]**

**1. INTRODUCTION**

The purpose of this Notice is to: (i) inform you of the existence of a collective action lawsuit against BrahamPutra, LLC (“BP”) for unpaid overtime wages alleging violations of the Fair Labor Standards Act (“FLSA”), (ii) to advise you of how your rights might be affected by this lawsuit, and (iii) to instruct you on the procedure for asserting your claim for overtime wages in this action, if you choose to do so.

**2. DESCRIPTION OF THE OVERTIME CLAIM**

A lawsuit was filed against BP by Derek Lamb on behalf of himself and all other similarly situated “integrators” who worked for BP. Specifically, the lawsuit contends that BP improperly attempted to classify integrators as “independent contractors” and failed to pay integrators overtime pay as required by the FLSA during the three-year period before the lawsuit was filed. BP denies the allegations, denies that integrators are “employees,” and contends that they properly classified integrators as “contractors.”

**3. COMPENSATION SOUGHT FOR THE WORKERS**

Plaintiff has sued BP to recover unpaid overtime compensation on his behalf of himself, and on behalf of all integrators that were classified as independent contractors by BP. Plaintiff also

seeks an additional amount for liquidated damages equal to the amount of overtime compensation owed, as well as a reasonable award of attorneys' fees and costs to be paid by BP.

**4. NO RETALIATION PERMITTED**

The law prohibits retaliation against current or former employees who exercise their rights under the FLSA. Thus, BP is prohibited from retaliating against you in any manner, including reducing your work assignments, taking adverse employment action against you, or firing you, because you have joined or participated in this lawsuit.

**5. HOW TO PARTICIPATE IN THIS LAWSUIT**

Enclosed you will find a form entitled "Consent to Become a Party Plaintiff" (the "Consent Form"). In order to participate in this lawsuit if you so choose, you **must file the Consent Form to join this lawsuit as a party plaintiff**. You may join, or "opt in" to the lawsuit by submitting your signed Consent Form to Plaintiff's Counsel either (i) electronically at the following website: \_\_\_\_\_; (ii) by emailing your completed Consent Form to [whogg@hftrialfirm.com](mailto:whogg@hftrialfirm.com); (iii) by faxing the completed Consent Form to (713) 523-1116; or (iv) by mailing your completed Consent Form to the following address:

**Attn: Lamb v. BrahamPutra Opt-In  
HODGES & FOTY, LLP  
4409 Montrose Blvd., Ste. 200  
Houston, TX 77006**

The Consent Form **MUST** be received in sufficient time for Plaintiff's Counsel to file it with the Court on or before **[DATE]** 60 days from mailing date].

If you choose to join this lawsuit, you will be bound by the judgment or any settlement of this action. If you choose to file a Consent Form, your continued right to participate in this suit may depend on a later determination by the Court that you and Plaintiff are actually "similarly situated" in accordance with federal law and that your claim has been filed within the applicable time limits.

If you complete the enclosed Consent Form, you will be designating Plaintiff and his attorneys to act on your behalf and to represent your interests. Plaintiff's Counsel has taken this case on a contingency basis and/or statutory basis. This means that if there is no recovery, you will not have to pay attorneys' fees out of your own pocket. Should there be a recovery, Plaintiff's Counsel will seek to recover their attorneys' fees and costs from BP. Plaintiff's Counsel may also receive a part of any settlement obtained or money judgment entered in favor of the members of the similarly-situated workers, the specific amount of which would be set by the Court.

**6. YOUR TIME TO JOIN IS LIMITED**

The Consent Form must be returned within sixty (60) days from the date this notice was mailed, *i.e.*, postmarked no later than **[MONTH] [DATE], 2022**.

**7. EFFECT OF NOT JOINING THIS LAWSUIT**

If you do not file a Consent Form to join this case, you will not participate in this FLSA lawsuit and will not be bound by any judgment or settlement of the FLSA claims. If you so choose, you may pursue your FLSA claim on your own, and you may select your own counsel. The pendency of this current lawsuit, however, will not stop the running of your time limit as to any overtime claims you might have under the FLSA unless you join this lawsuit by returning the signed Consent Form. In other words, you may lose some or all of your rights to sue under the FLSA if you do not act now.

**8. NO OPINIONS EXPRESSED AS TO THE MERITS OF THE CASE**

This Notice is for the sole purpose of determining the identity of those persons who may be entitled to and wish to participate in this case, and any potential judgment or settlement. The Court has expressed no opinion regarding the merits of Plaintiff's claims or Defendant's liability, if any, and individual claims may be subject to later dismissal if the Court ultimately finds that the claims lack merit or that they cannot be litigated on a collective basis, or for other reasons. There is no assurance at this time that any relief will be granted, nor if granted, the nature and amount of such relief.

**9. LEGAL COUNSEL**

The attorneys representing Plaintiff, and the workers who join this case are as follows:

Don J. Foty, Esq.  
William M. Hogg, Esq.  
**Hodges & Foty, LLP**  
4409 Montrose Blvd., Ste. 200  
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**10. WHERE CAN I GET MORE INFORMATION?**

If you have questions about this Notice, or if you did not receive this Notice and you believe that you are or may be one of the workers affected, you should contact Plaintiff's Counsel.

This Notice is only a summary. For more detailed information, a copy of the Lawsuit, and other publicly-available documents for this case, please contact Plaintiff's Counsel.

**PLEASE DO NOT CONTACT THE COURT, THE CLERK OF THE COURT, OR THE JUDGE FOR INFORMATION ABOUT THE LAWSUIT. THIS NOTICE AND ITS CONTENTS HAVE BEEN AUTHORIZED BY THE COURT, BUT THE COURT HAS MADE NO DECISION IN THIS CASE ABOUT THE MERITS OF PLAINTIFF'S CASE OR BP'S DEFENSES.**